

### **REMARKS**

Claims 1-52 are currently pending in the present application and have not been amended by the present reply. Reconsideration of this application in view of the following remarks is respectfully requested.

#### **Double Patenting Rejection**

Claims 1-52 stand rejected on the grounds of non-statutory obviousness-type double patenting as being unpatentable over claims 1-11, 14-29 , 45, 50, 52, 60, 62-75, 90, 94, 96, 116, 125 and 126 of U.S. Patent 6,713, 021. This rejection is respectfully traversed.

While not conceding to the appropriateness of the Examiner's double patenting rejection, but merely to expedite prosecution, as the Examiner will note, a Terminal Disclaimer has been provided for the Examiner's consideration. Applicants respectfully submit that the Terminal Disclaimer is in compliance with 37 CFR § 1.321 therefore overcomes the Examiner's obvious-type double patenting.

In view of the above, Applicants respectfully submit that the Examiner's double-patenting rejection has been overcome. Reconsideration and withdrawal of the rejection is respectfully requested.

Conclusion

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Paul C. Lewis, Reg. No. 43,368 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.147; particularly, extension of time fees.

Dated: April 15, 2008

Respectfully submitted,

By 

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Attachments: Terminal Disclaimer